

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.6235 OF 2004

Mr.M.L.Patil with Mr.N.Y.Katkar for the Petitioner.

Mr.Vishwanath Talkute for the Respondent.

Office Notes, Office
Memoranda of Coram,
appearances, Court's
order or directions

Court's or Judge's
orders

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CORAM: D.K.DESHMUKH, J.

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DATED: 21st September, 2005

P.C.:

The Appellate Court has, by relying on two registered sale-deeds dated 21-6-1972 and 25-10-2001, held that the Plaintiff has made out a prima facie case. The contention of the Defendant was that both the sale-deeds are bogus. But admitted position is that to this date the Defendant has not challenged the validity of these documents either by filing independent suit or by filing counter claim in this suit. In the absence of any challenge to the registered documents, the

Appellate Court was perfectly justified in going by the registered sale deeds. I do not see any patent error of law in the order impugned. Petition is, therefore, rejected.

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